IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

GENERAL ELECTRIC COMPANY, *Plaintiff,* v. MITSUBISHI HEAVY INDUSTRIES, LTD., MITSUBISHI HEAVY INDUSTRIES AMERICA, INC., and MITSUBISHI POWER SYSTEMS AMERICAS, INC., *Defendants.*	Civil Action No. 2:09-CV-00229 JUDGE HAYDEN HEAD **Jury Trial Demanded**

JOINT STATUS REPORT

In response to this Court's July 2, 2010, Order (Dkt. # 15), Plaintiff General Electric Company ("GE") and Defendants Mitsubishi Heavy Industries, Ltd., Mitsubishi Heavy Industries America, Inc., and Mitsubishi Power Systems Americas, Inc. (collectively, "Mitsubishi") respectfully submit this Status Report.

Case Status

This case is stayed pursuant to 28 U.S.C. § 1659 pending a final determination of the United States International Trade Commission ("ITC") in *In re Certain Variable Speed Wind Turbines and Components Thereof,* ITC Inv. No. 337-TA-641. *See* Dkt. # 10.

On January 8, 2010, the ITC issued its Final Determination in the matter, and on March 2, 2010, GE filed an appeal of the Final Determination before the U. S. Court of Appeals for the Federal Circuit ("CAFC"). Mitsubishi intervened in the appeal. GE filed its principal brief on

June 11, 2010, and Mitsubishi's response is due on July 26, 2010. The CAFC has not set a date for oral argument at this time.

Related Action Initiated by Mitsubishi

On May 20, 2010, Mitsubishi filed a complaint against GE in the U. S. District Court for the Western District of Arkansas alleging that GE has violated antitrust and other laws by improperly obtaining and enforcing five patents—including the three asserted in this case. *Mitsubishi Heavy Indus., Ltd* v. *General Electric Co.,* Civil Action No. 5:10-cv-05087-HFB (W.D. Ark. 2010). As part of its allegations in Arkansas, Mitsubishi alleged—as in this case—that GE's '039, '985 and '221 Patents are invalid or unenforceable. *See* Dkt. ## 5, 6.

Respectfully submitted,

By: ______________________ Date: July 15, 2010

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Certificate of Service

I certify that this pleading was filed electronically with the Court, and this served simultaneously upon counsel for all parties, this 15th day of July 2010.

Thomas E. Ganucheau